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| 10/701,470 | 10/30/2003 | James H. VanGilder | 200314087-1 | 8574 |

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| EXAMINER |
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AMINI, JAVID A

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| ART UNIT | PAPER NUMBER |
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2628

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/701,470

Applicant(s)

VANGILDER, JAMES H.

Examiner

Javid A. Amini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6,8,9,11-14,16-20 and 22-25 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3/13/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments with respect to independent claims 5, 14, 20, and 25 have been considered but are moot in view of the new ground of rejection.

Applicant on page 11 at first paragraph argues that the same comments regarding claim 7 apply to claim 25.

Examiner's reply: examiner does not agree with Applicant's comments for claim 25, because, in claim 25 claims " In another mode service subroutine icons that may be placed onto the canvas to design a service graph,". And claim 7 claims displaying icons representing service graphs in a second mode further comprises displaying icons representing subroutine graphs.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 14 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claim 14 lines 1-2 an "A computer-readable medium having stored thereon computer-readable data ..." recites functional descriptive material on a computer readable medium. However, the computer readable data line 2, itself merely manipulates data or an abstract idea, or merely solves a mathematical problem without a limitation to a practical application.

Allowable Subject Matter

Claim 7 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: displaying icons representing service graphs in a second mode further comprises displaying icons representing subroutine graphs.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-6, 8-9, 11-14, 16-20, and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Praveen K. Murthy, Etan G. Cohen, Steve Rowland, April 2001, with title of "System canvas: a new design environment for embedded DSP and telecommunication systems"; hereinafter refer as "Praveen", in view of Crook, US Patent No: 6,642,942, and further in view of Cebulka et al., US Patent No: 5,455,853 (hereinafter refer as Cebulka).

1. Claim 5. Praveen on page 55 in fig. 1 shows the main system Canvas GUI that similar to claimed features as follows: ***In a graphical user interface for a computer, a method of displaying objects for designing a service graph using a plurality of service independent building blocks, the method comprising:*** Praveen in fig. 1 illustrates clearly a canvas object,

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(examiner's interpretation regarding a canvas object: is a technical drawing, image editing and page layout program for Windows) the claimed feature is as follows: ***displaying a canvas object***; Praveen illustrates in top region of fig. 1 that consists of user-customizable too-bars and buttons that accelerates functions also available in the various pull-down menus, the claimed features is as follows: ***displaying a toolbar object; displaying a menu object***.

Said area showing said plurality of service building blocks specifically performs the same function as the ***working folder tabs object*** as recited in the instant claim. Although said area is not explicitly a working folder tabs object, it is well known in the GUI art to implement said working folder tabs object in order to create a hierarchical system for storing any types of data including building block objects such as the service building blocks. Said working folder tabs object is in fact ubiquitous with Microsoft® Windows Explorer GUI, a very well known GUI system (See FIG. A below). A myriad of systems running Windows operating system incorporate said working folder tabs for providing easy accessible user interaction (i.e. faster and easy way of selecting objects in hierarchical folders using drag-and drop). An analogous art, Crook, explicitly teaches creating and configuring another type of telecommunication service, call-processing applications, using a GUI. Said call processing applications are graphically represented on a display using a GUI editor (Col. 2, line 29 – Col. 3, line 15). Crook explicitly teaches using the well-known drag-and-drop technique for configuring said call processing applications (Col. 4, line 41 – Col. 5, line 16; Col. 5, line 54 – 22 and FIGS. 2-17). Said call processing applications (service building blocks) are drag-and-dropped from a file window (40), which specifically is a working folder tabs object. Praveen explicitly teaches ***displaying icons representing service graph*** (FIG. 1). Individual icons representing service independent building

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blocks are put together on the canvas in order to create a service graph comprising a plurality of icons. This represents a second mode since the user creates the service graph during a service graph-editing mode.

It would have been obvious to one of ordinary skill in the art to take the teachings of Praveen and to add from Crook the well known and obvious GUI component, working folder tabs object, in order to allow a user to more easily create and configure service graphs (Col. 5, lines 9-16). In fact, both Praveen and Crook teach using a GUI in order to provide an easy method of creating and configuring specific service graphs without added programming skills or training. Said working folder tabs object provide to the user a familiar GUI (well known and ubiquitous via Microsoft® Windows Explorer) for organizing said service building blocks, from which each service building block can be easily drag-and-dropped onto the canvas. Further, Crook explicitly provides that the graphical configuration reduces the time and expense of assembling a call processing system (service graph). Anyone familiar with drag-and-drop techniques and mouse manipulation can practice the present invention, even when the application is written by different vendors (Col. 9, lines 31-48).

Praveen and Crook do not explicitly teach displaying icons representing service data tables and message sets, but it is well known and obvious in the art to incorporate tables and messages. Cebulka et al., teaches a method of creating a customizable telecommunication service template in order to reduce the work required when created a new service graph. Using a template allows the user to eliminate the need to recreate said service graph from scratch, and thus reduce the time requirement (Col. 1, line 50 – Col. 3, line 61).

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It would have been obvious to one of ordinary skill in the art to take the teachings of Cebulka into Praveen and Crook for creating a customizable telecommunication service template in order to reduce the work required when created a new service graph. Using a template allows the user to eliminate the need to recreate said service graph from scratch, and thus reduce the time requirement (Col. 1, line 50 – Col. 3, line 61). Much like Praveen and Crook, Cebulka teaches displaying various graphical objects representing service graph building blocks and creating service graphs by combining said graphical objects (Col. 6, line 63 – Col. 10, line 23 and FIGS. 7-12 and 29A).

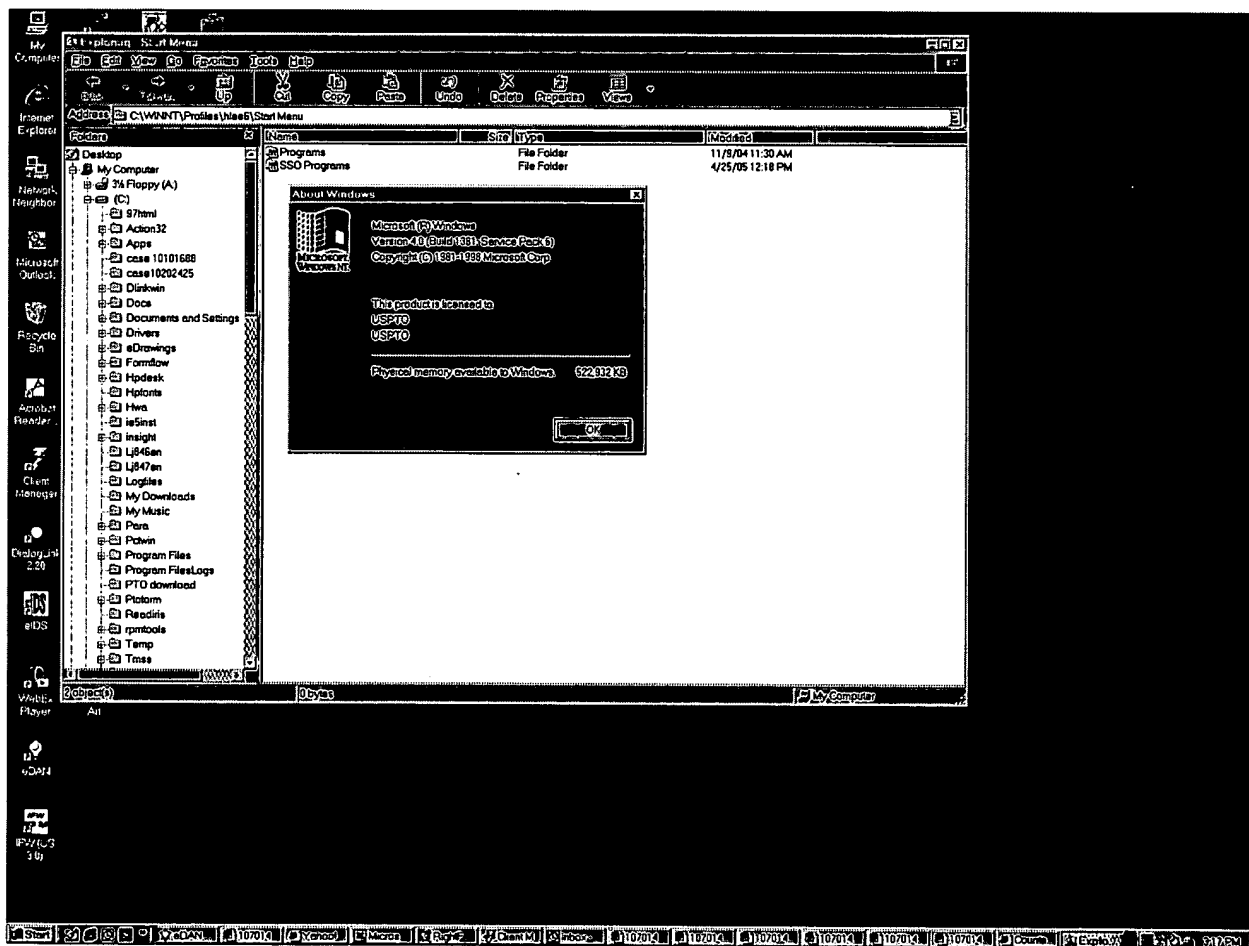


FIG. A: Well known and ubiquitous Microsoft® Windows Explore

2. In regards to claim 2, Praveen and Crook teach the method of claim 5 as applied above.

In addition, Praveen on page 55 in fig. 1 shows the main system Canvas GUI that similar to claimed features. Praveen in fig. 1 illustrates clearly a canvas object, (examiner's interpretation regarding a canvas object: is a technical drawing, image editing and page layout program for Windows). Praveen illustrates in top region of fig. 1 that consists of user-customizable too-bars and buttons that accelerates functions also available in the various pull-down menus. Although Crook teaches said working folder tabs object on the right side and canvas object on the left side, the positions of said canvas and working folder tabs object is not critical to the invention and thus does not teach away from Praveen. In fact, the combination of Praveen and Crook teaches both options.

3. In regards to claim 3, Praveen and Crook teach the method of claim 5 above. In addition, combination of Praveen and Crook explicitly teach displaying the canvas on the left side and the working folders tab object on the right side. The applicant's recitation of claim 3 lends support to the examiner's interpretation and argument that the specific positioning of the canvas and the working folder tab objects is not critical to the invention. If having specific positioning of said canvas and working folder tab object were critical to the applicant's invention, the applicant would not claim both positioning options. By claiming both, it is clear that one position does not offer critical advantage over the other. This is true in GUI art in general. The position of the GUI toolbar depends on the user and the task performed by the user. When service building blocks (or any objects) are moved from one side to another (from the working folder tabs object to the canvas), it is obviously better to have corresponding GUI toolbars between the adjoining left and right side. Placing a toolbar between two sides is well known in the art. For example,

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the well-known FTP programs comprise two screen portions adjoined with a tool bar in placed in between. This allows the user to easily transfer objects from one side to another. The examiner feels that the purpose of the GUI toolbar location between the working folder tabs object and the canvas is an obvious modification of Praveen and Crook (wherein both teach toolbars placed on top and above the canvas and the working folder tabs object). By placing the toolbar in the middle, the user can easily access the desired toolbars when transferring objects from the left side to the right side. Praveen on page 5 under section 4 teaches the pane on the right consists of windows that are the schematic editor, the symbol editor, or the library block text editor. The schematic editor supports all of the expected behaviors like pushing into hierarchical actors, pushing into the 'C' code inside a non-hierarchical actor, and pushing into the symbol editor. It supports panning, zooming, cut, copy, and paste.

Block and various schematic parameters can be set via dialog boxes. There is an unlimited undo/redo stack. The environment also has a number of flexible charting and plotting capabilities.

4. In regards to claim 4, Praveen and Crook explicitly teach the method of claim 1 above. While Praveen and Crook teaches a canvas and a working folder tabs object as applied to claim 5 above, both do not explicitly teach a floating toolbar and floating working folder tabs object. However, as applied to claim 3 above, said floating feature specifically is obvious taught by well known and ubiquitous via Microsoft® Windows Explorer.

Broadly speaking said working folder tabs object specifically is a toolbar also, since it comprises graphical representation that allows the user to execution a function of selecting specific objects.

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5. In regards to claim 8, Praveen, Crook explicitly teach the method of claim 5 above. In addition, Praveen (fig. 1), and Crook (figs. 2-17), in combination explicitly teach displaying the toolbar object comprising a plurality of buttons on the toolbar object, each button controlling objects displayed in the graphical design window. While Praveen and Crook teach toolbars comprising buttons, of course each button controlling objects displayed in the graphical design window.

6. In regards to claim 6, the limitation of claim 6 i.e. the mode is displayed responsive to user input. It's obvious; because Praveen in fig. 1 illustrates displayed canvas environment that is responsive to the input user.

7. In regards to claim 9, Praveen in fig. 1 displaying a toolbar (on the right) comprising buttons, which displaying text for each button.

8. In regards to claims 11, 17, and 22, the same basis and rationale for claim rejection as applied to claim 2 above.

9. In regards to claims 12, 18, and 23, the same basis and rationale for claim rejection as applied to claim 3 above.

10. In regards to claims 4, 13, 19, and 24, the same basis and rationale for claim rejection as applied to claim 4 above.

11. In regards to claim 14, the same basis and rationale for claim rejection as applied to claim 5 above. In addition, Praveen explicitly teaches embedding it's invention in a computer program product, which comprises all features enabling the implementation of the method described herein, and which when loaded in a computer system is able to carry out these methods.

Computer programs means or computer program in the present context means any expression, in

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any language, code or notation, or a set of instructions intended to cause a system having an information processing capability to perform particular function (see fig. 1). Thus, said invention of Praveen must be implemented on a computer system comprising a processor and a display since said visual tool must be visible to the user. Further, all computer programs must be implemented on a computer system comprising a processor and a display.

12. In regards to claim 16, the same basis and rationale for claim rejection as applied to claim 5 above. Both Praveen and Crooks must implement their teachings on a computer system as applied to claim 15 above. In addition, Crooks explicitly teaches input devices (14 and 18), output devices (14 and 18), and data storage devices (12 and 30) on fig. 1.

13. In regards to claim 20, the same basis and rationale for claim rejection as applied to claims 5 and 14 above.

14. In regards to claim 25, the same basis and rationale for claim rejection as applied to claims 5 and 14 above.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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